

1. The following is an examiner's statement of reasons for allowance: The claims are allowable over the prior art of record because none of the art teaches, suggests, anticipates or renders obvious the claimed nonwoven web having the claimed properties of at least 70% recovery from a 100% elongation and least 60% recovery from a 150% elongation and a ratio of elongation at break in the cross direction to the elongation at break in the machine direction of at least 8 wherein the polypropylene fibers consist essentially of polypropylene that is homogeneous in the cross section in the solid state. The Suzuki references teaches employing bi component (sheath core) fibers which do not have a homogeneous cross section in the solid state. The Kozulla references teaches employing fibers which consist essentially of polypropylene but the fibers in Kozulla have a sheath/core structure due to the processing of the fibers and thus do not have a homogeneous cross section in the solid state. Further, it is noted that the Suzuki reference does not teach the claimed strain rate and teaches away from using a polypropylene fiber which is homogeneous in the cross section in comparative example 2 and col. 19, lines 1-9. The Declaration filed 2/17/10 has established that one of ordinary skill in this art would have understood that the polypropylene fibers discussed in examples 1-6 of the instant application describe fibers which have a homogeneous cross section in the solid state and the examiner agrees that one of ordinary skill in the art would understand that the polypropylene fibers discussed in the examples in the specification would refer to fibers which have a homogeneous cross section in the solid state. Therefore, the specification as originally filed provides

adequate implicit support for this limitation. The specification has been amended to provide antecedent basis for the limitation.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth M. Cole whose telephone number is (571) 272-1475. The examiner may be reached between 6:30 AM and 6:00 PM Monday through Wednesday, and 6:30 AM and 2 PM on Thursday.

The examiner's supervisor Rena Dye may be reached at (571) 272-3186.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax number for all official faxes is (571) 273-8300.

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